

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	Case No. 09-26646-JAD
)	
COAL FINANCING, LLC)	Chapter 11
)	
)	Document No. _____
Debtor.)	Related to Doc. No. 69
_____)	Hearing: 12/01/2009
)	
COAL FINANCING, LLC)	
)	
Movant.)	
)	
v.)	
)	
MON VIEW MINING COMPANY, ET AL)	
)	
Respondents)	

**WITHDRAWAL OF MOTION TO SELL ASSETS FREE AND
CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES**

AND NOW, comes Coal Financing, LLC, by and through its undersigned counsel, and files the following Withdrawal of Motion to Sell Assets Free and Clear of Liens, Claims, Interests and Encumbrances and in support thereof, states as follows:

1. Coal Financing, LLC, (the "Debtor") is the Debtor in the above captioned proceedings, having filed a Voluntary Petition for Relief under Chapter 11 of the United States Bankruptcy Code oOn July 13, 2009.
2. At the time of the filing of the Debtor's Chapter 11 it was the owner of certain assets in Washington County, Pennsylvania known as the Mathias Mine.
3. On October 12, 2009, the Debtor filed a Motion to Sell substantially all of its assets free and clear or liens, claims and encumbrances.

4. On October 13, 2009, this Court entered an Order granting Mon View Mining Relief from the Automatic Stay in order to foreclose on a mortgage and security interest in the Mathias Mine.

5. On October 14, 2009, Mon View Mining Company caused the assets of the Debtor to be sold to it at a judicial sale.

6. As a result of the judicial sale Coal Financing, LLC no longer has title to the Mathias Mine.

7. Since Coal Financing, LLC does not have title to the assets known as the Mathias Mine it cannot convey title thereto.

8. Accordingly, the Debtor's Motion for Sale of Assets Free of Liens, Claims and Encumbrances cannot be granted.

WHEREFORE, Coal Financing, LLC, withdraws its Motion filed at document number 69 to sell its assets free and clear of liens, claims and encumbrances.

Respectfully submitted,

Dated: November 25, 2009

/s/ Michael Kaminski
Michael Kaminski, Esquire
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